

Gerald M. Needham, OSB # 96374
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Attorney for Defendant

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

ELLIOTT ERNEST MEJIA,

Defendant

CR 11-285-HZ

**AFFIDAVIT OF COUNSEL IN
SUPPORT OF MOTION TO CONTINUE
TRIAL DATE**

STATE OF OREGON)
) ss:
County of Multnomah)

I, Gerald M. Needham, being duly sworn, do depose and say:

1. I am counsel for Elliott Ernest Mejia.
2. Mr. Mejia has been indicted for two counts of Distribution of Heroin in violation of 21 U.S.C. §841 and one count of Felon in Possession of a Firearm in violation of 18 U.S.C. §922(g)(1).
3. February 28, 2012, is the third trial setting.

4. Defense counsel and the government have shared information. Additional time is needed to review and analyze this information. Additional time is also required by defense counsel to investigate certain aspects of the case, conduct legal research, consult with Mr. Mejia, and otherwise properly prepare for trial.
5. Mr. Mejia is presently housed at the Columbia County Jail. Counsel has spoken with him on a number of occasions concerning the need for the continuance. He has specifically authorized counsel to represent he consents to the continuance with the knowledge that the timeframe is excludable under the Speedy Trial Act pursuant to 18 U.S.C. §3161(h)(7)(A).
6. Assistant United States Attorney Fred Weinhouse has authorized counsel to represent the government has no objection to the requested continuance.
7. The timeframe of the requested continuance is excludable from Speedy Trial computations pursuant to 18 U.S.C. §3161(h)(7)(A), as additional time is required for pretrial investigation and trial preparation, and the ends of justice are better served by the granting of the continuance and outweigh the interests of the public and the defendant in a speedier trial.

DATED this 14th day of February, 2012.

/s/ Gerald M. Needham

Gerald M. Needham
Attorney for Defendant

SUBSCRIBED AND SWORN to before me this 14th day of February, 2012.

/s/ Jennifer Louise Lillie

Notary Public for Oregon
My commission expires: 3/22/2013